

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, SEPTEMBER 18, 2019, 9:00 A.M.**

COUNCILMEMBERS PRESENT: Carey, Cummings, Matthews, Prafke, Wein

CITY EMPLOYEES PRESENT: Kristin Simeone, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Joan LeBeau, Urban Design; Pamela Davis, Police; Ray Briggs, Fire; City Attorney Levin; City Manager Kunik; City Clerk Smith

Mayor Prafke called the meeting to order at 9:00 a.m.

Invocation was given by Mr. Carlo Gargiulo, followed by the Pledge of Allegiance.

PROCLAMATION/PRESENTATIONS

Tom Ludwick Day

Mayor Prafke presented the proclamation, which was accepted by Mr. Bill Dryburgh, Punta Gorda Elks.

Award of Mayor's Medal to John Burrage

Mayor Prafke presented the Mayor's Medal to Mr. John Burrage and spoke regarding his outstanding service to the City and his community.

10 Year Service Award - PFC Brandon Angelini, Police Department

City Manager Kunik presented the award to PFC Brandon Angelini, Police Department. Police Chief Pam Davis spoke regarding PFC Angelini's service to the Department and awards for exceptional duty.

Age-Friendly Community Presentation

Councilmember Cummings introduced Ms. Kathy Black, AARP Florida Age-Friendly Communities Consultant.

Ms. Black presented information on age-friendly communities, as delineated in the agenda material. She reported Governor Ron DeSantis had declared Florida an age-friendly state, adding she was working with the State to establish the Livable Florida movement to help people live well and age well. She then described the eight domains which needed to be addressed to make communities a great place to live and age well.

Introduction of Board/Committee Member Nominees

Mr. Paul Sacilotto and Ms. Carol Perry introduced themselves as nominees for the Code Enforcement Board.

Ms. Wendy Mueller and Mr. John Bothwell introduced themselves as nominees for the Building Board.

Mr. Thomas Lengauer introduced himself as a nominee for the Board of Zoning Appeals.

PUBLIC HEARINGS

GA- 04- 19 An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 10, "Yard Waste, Solid Waste and Recycling", Article II, "Solid Waste", amending Section 10- 11 increasing the monthly fee for removal and disposal of curbside recycling services; providing for conflict and severability and providing an effective date. **FIRST READING**

City Attorney Levin read the ordinance by title.

City Manager Kunik explained the proposed ordinance implemented a \$0.42 increase for a total monthly fee of \$5.62 for recycling services.

Mayor Prafke called three times for public comment.

Councilmember Matthews **MOVED** to close the public hearing, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** approval of the proposed ordinance, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items

None.

Councilmember Matthews **MOVED** approval of the Consent Agenda, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

B. City Clerk's Department

1. Approval of Minutes: Special Meeting of August 30, 2019

2. Approval of Minutes: Budget Public Hearing of September 4, 2019

3. Approval of Minutes: Regular Meeting of September 4, 2019

C. City Manager's Department

1. Appointment of additional representatives to 1% Sales Tax Committee

D. Legal Department

1. Invoices of Persson & Cohen, P.A. for services rendered in August 2019

2. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered through September 11, 2019.

E. Urban Design Division

1. Event Permit 19-154455 - Big Orange Music Festival

2. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Coastal & Heartland National Estuary Program (CHNEP), accepting funding from the Florida Department of Environmental Protection for implementing the Fiscal Year 2020 CHNEP Work Plan and Budget; authorizing the City Manager to sign the grant agreement and administer the grant on behalf of the City; appropriating grant award; and providing an effective date.
 3. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Coastal & Heartland National Estuary Program, accepting funding from the Florida Department of Environmental Protection (FDEP) for implementing the Lower Charlotte Harbor Flatwoods Hydrologic Restoration Initiative, Yucca Pens Unit (P&D) project included in the Fiscal Year 2020 CHNEP Work Plan and Budget; authorizing the City Manager to sign the funding agreement and administer the funding on behalf of the City; and providing an effective date.
- F. Police Department
1. Application for FDLE FY19-20 Identity Theft and Fraud Grant Program
 2. Application for State Farm Good Neighbor Grant
- G. Utilities Department
1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting a Bill of Sale, Release of Liens/Affidavit of No Liens from John Urbahns, and Warranty from DM Construction Corp for water distribution and wastewater collection facilities located within Windward Isles (f/k/a Vasco St); providing for conflict and severability; and providing an effective date.

Citizen Comments - Regular Agenda Items Only

Ms. Callie Stahl, Peace River Wildlife Center (PRWC) Executive Director, stated the PRWC considered Punta Gorda, specifically Ponce de Leon Park, to be home. She stated the PRWC wished to continue to work with the City to resolve issues that had arisen with their current location, adding they were amenable to the West Henry Street location.

Mr. Gary Skillicorn opined the West Henry Street property was a strategic location for the PRWC.

Ms. Diane Tufts voiced concern regarding relocating the PRWC to the West Henry Street property as it might disturb neighboring residents.

Mr. Jerry Jones, PRWC Board, noted the PRWC's hospital, rehabilitation and public facilities were all currently located at Ponce de Leon Park, explaining the public facility would be located on West Henry Street while the hospital and rehabilitation facilities would be housed at a separate property.

Ms. Perry questioned whether the West Henry Street property could accommodate the number of visitors to the PRWC.

Ms. Pat Campagna opined traffic would not be an issue as it was seasonal and visitors traveled through the City to the PRWC regardless.

BUDGET

A Resolution of the City Council of the City of Punta Gorda, Florida approving and ratifying an agreement between the City and Southwest Florida Chapter – Florida Police Benevolent Association (PBA) effective October 1, 2019 through September 30, 2022; authorizing the City Manager to execute the agreement on behalf of the City; and providing an effective date.

City Manager Kunik announced a collective bargaining agreement with the Police Benevolent Association had been finalized.

Councilmember Matthews **MOVED** approval of the resolution, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Approval of Change Order #2 to Agreement F2018123 to Kelly Brothers, Inc. for Rock Seawall Installation relating to the Buckley's Pass Additional Harbor Access Project

Ms. Anne Heinen, Interim Procurement Manager, reported the contractor discovered a rock layer along the entire length of the seawall alignment, explaining extra work was required to pre-form holes for installation of the vinyl sheet panels. She stated the contract included this optional installation method at \$275 per linear foot; thus, the cost for 1,051 linear feet was \$289,025. She concluded the new total construction cost of the project was \$1,788,424.16, then requesting approval of the change order.

Councilmember Matthews inquired if boring samples were collected.

Mr. Gary Disher, Public Works, replied affirmatively.

Councilmember Wein **MOVED** approval of Change Order #2, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Gilchrist Bridge Mural Area - Fence Funding

Mr. Mitchell Austin, Urban Design, displayed the Bollard Plan from the agenda material, requesting appropriation of \$6,000 to install fencing along the embankment areas of the Gilchrist Bridge adjacent to the Harborwalk as requested by the Punta Gorda Mural Society. He noted staff had received the required approval from the Florida Department of Transportation (FDOT), then reporting the timeframe for obtaining the bollards was up to 3 months.

Councilmember Cummings **MOVED** approval of the fence funding, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Award of Change Order #3 to Weiler Engineering Corp. for professional engineering services related to the modification of the Harborwalk 2a & 2b construction plans, permits, and schedule of values by eliminating all elements of the project with the exception of the Harborwalk in accordance with the Master Agreement U2008007.

Mr. Austin announced Weiler Engineering Corp. had submitted a proposed cost of \$27,325 with a 91 day project timeline (not inclusive of regulatory permitting) for completion of the Harborwalk. He stated appropriation of funds was not required, requesting approval of the change order.

Councilmember Matthews **MOVED** approval of the award of Change Order #3, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

NOTE: A short break was called at 10:18 a.m.

FY 2020 Strategic Plan

Ms. Melissa Reichert, Communications Manager, provided an update on the input received from the community regarding the Strategic Plan, which reinforced staff's efforts, confirming members wished to review same by Action Item.

Councilmember Carey questioned if the City should delay hiring a consultant for the comprehensive re-evaluation of the Strategic Plan until the next City Manager was in place and able to participate in the process.

Councilmember Matthews spoke in favor of performing revisions in-house.

Councilmember Cummings agreed.

Mayor Prafke suggested an independent look and fresh perspective could be beneficial, questioning whether Ms. Reichert could serve in that role.

Ms. Reichert replied affirmatively.

Discussion ensued with consensus to perform a comprehensive re-evaluation of the Strategic Plan in-house.

Councilmember Matthews voiced concern regarding the language in the third Internal Action Item under Financial/Economic Stability as it related to the Citywide Master Plan.

Ms. Reichert explained multiple sections of the Strategic Plan addressed the Citywide Master Plan; however, the language in the third Action Item could be revised.

Mayor Prafke voiced concern regarding the limited timeframe.

Ms. Reichert replied same reflected City Manager Kunik's remaining time with the City.

City Manager Kunik explained the Strategic Plan was limited to the upcoming fiscal year while the Citywide Master Plan had a long-term focus. He then confirmed Councilmembers were amenable to handling the Executive Search for a new City Manager in-house, noting City Council would be asked for input throughout the process. He estimated the timeframe for selection was May/June 2020.

Discussion ensued regarding including the responsible department for key performance indicators in future years and updating the information related to females in non-traditional roles in the City's workforce to reflect women in supervisory/managerial positions.

City Manager Kunik confirmed under Infrastructure Sustainability, the Corto Andra/Boca Grande Area Drainage Improvements might be incorporated into the next Sales Tax Program and the Gilchrist Park Renovation Action item would be updated.

Councilmember Matthews suggested the strategic priorities be numbered.

City Manager Kunik then confirmed the date for the kayak launch on page 17 would likely be changed as it was part of the Ponce de Leon Park redesign.

Discussion ensued with consensus to remove the Action Item regarding undergrounding electric lines that cross West Retta to eliminate visual encumbrance.

City Manager Kunik confirmed staff would present the revisions as a future Consent Agenda item.

UNFINISHED BUSINESS

Consideration of Peace River Wildlife Center (PRWC) Relocation from Ponce de Leon Park to City- Owned Property on West Henry

City Manager Kunik stated it had been suggested the PRWC be relocated to the City-owned property on West Henry Street adjacent to the Hounds on Henry dog park. He displayed a diagram of the West Henry Street site, noting staff believed the PRWC fit well with adjacent amenities and could be buffered from the surrounding neighborhood. He requested City Council's direction, stressing the positive financial benefits of the proposed relocation.

Discussion ensued with comments that the West Henry Street location would benefit walkability, allow the location to remain mostly green space and bring value to the City in terms of quality of life.

Ms. Stahl reiterated the West Henry site was a viable option, emphasizing community support for the relocation was imperative.

Mayor Profke commented favorably on the relocation, suggesting a pathway could connect the amenities in the area.

Councilmember Wein **MOVED** to request the PRWC submit a plan to relocate its facility to the City's West Henry Street property, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

Ponce de Leon Park Redesign Alternatives

City Manager Kunik requested this item be removed.

Consensus was to do so.

Continued Discussion of City Priorities & Requests for 2020 State Legislative Agenda

City Manager Kunik reported Charlotte County had provided a draft of their 2020 State Legislative Agenda, noting he had requested the City's lobbyist to investigate the possibility of legislative funding to upgrade the City's website for ADA compliance.

Discussion ensued with consensus to support Charlotte County's priorities and the request for the lobbyist to research funding for ADA compliance.

NEW BUSINESS

Discussion Regarding Acceptance of Federally-Funded Local Agency Program (LAP) Monies to Construct Harborwalk West Area 3

Mr. Austin presented information on the design and improvements for Harborwalk Area 3, briefly explaining the requirements for FDOT/Metropolitan Planning Organization funded projects. He reviewed the project summary, noting the anticipated additional funding required under the FDOT standard was \$61,000, while the cost without the FDOT standards would be \$41,000. He concluded staff recommended rejection of the funds.

Discussion ensued with members speaking in favor of staff's recommendation.

Councilmember Cummings **MOVED** to reject the LAP funding as per staff's recommendation, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

City Manager Kunik reported bollards would be installed across from F.M. Don's, noting the right-of-way was sufficient to complete the installation without destruction of the sidewalk.

CITY CLERK

Canvassing Board Appointments - 2019 Election Cycle

City Clerk Smith explained if the City Manager was not able to serve as a member of the City's Canvassing Board, it was necessary for City Council to appoint a replacement. She requested an alternate also be appointed.

City Manager Kunik explained he was unable to serve.

Councilmember Carey **MOVED** to appoint Councilmember Matthews, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** to appoint Councilmember Carey to serve as the alternate, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Ballot Approval, City Election - Tuesday, November 5, 2019

City Clerk Smith requested approval of the ballot, noting new legislation required a Spanish translation be included. She stated the ballot would be published in the newspaper prior to the election along with a list of voting locations.

Councilmember Wein **MOVED** approval of the ballot, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Proclamation Calling for Election, City Election - Tuesday, November 5, 2019

City Clerk Smith explained the City Charter required issuance of the proclamation, noting same would appear in the local newspaper on the three consecutive Sundays immediately preceding the election.

Councilmember Cummings **MOVED** approval of the issuance of the proclamation, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Appointment of Poll Workers for November 5, 2019 Election

City Clerk Smith explained the City Charter required City Council to appoint the poll workers for the City's election. She stated the Charlotte County Supervisor of Elections had vetted the list of individuals with regard to eligibility and availability to serve.

Councilmember Matthews **MOVED** approval of the list of poll workers, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

BOARDS AND COMMITTEES

Announcement of Vacancies

Utility Advisory Board

Building Board Alternate

Burnt Store Isles Canal Advisory Committee

City Clerk Smith announced the vacancies.

Nominations

Historic Preservation Advisory Board Alternate

Councilmember Matthews **MOVED** to nominate and appoint Ms. Kelley Frohlich, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Building Board - Consumer Advocate

Councilmember Matthews nominated all interested parties.

Appointments

Board of Zoning Appeals (2)

Voting forms were distributed.

City Attorney Levin announced Mr. Thomas Lengauer and Ms. Wendy Mueller had received the most votes and were thus appointed to the Board.

Code Enforcement Board (2)

Voting forms were distributed.

City Attorney Levin announced Ms. Carol Perry and Mr. Paul Sacilotto had received the most votes and were thus appointed to the Board.

POLICY AND LEGISLATION

PRAFKE: Announced she would attend the Southwest Florida League of Cities meeting the following day.

CUMMINGS: Stated the Blanchard House Museum would open the African Origins of the American Healthcare System exhibit on September 28, 2019, from 10:00 a.m. to 1:00 p.m.

MATTHEWS: Noted an event recognizing prisoners of war and those missing in action would be held at the Military Heritage Museum on September 20, 2019, at 12:00 p.m.

CAREY: Reported on September 26, 2019, the Charlotte County Affordable Housing Advisory Committee would hold a workshop regarding affordable housing, workforce housing and coordination between the City and the County.

CITIZENS COMMENTS

Mr. Joseph Comeaux announced this date was the 72nd anniversary of the United States Air Force, inviting members of the public to the Military Heritage Museum.

Ms. Sheri Lenore commented on annexation as a means to diversify the City's tax base.

Mr. Ed Weiner congratulated Mr. Burrage on his award.

The meeting was adjourned at 11:48 a.m.

Mayor

City Clerk